

Section Four - Drivers Hours

4.1 Tachograph – driver and company card management

Driver and company tachograph cards must be monitored effectively to ensure expiry dates are known and managed; procedures must be in place to take account of lost or defective cards.

There must be evidence of a process to ensure the supply of enough print rolls, charts, and logbooks.

In point 4.1 section you need to enter the following details in your audit template

1. Detail the Policy surrounding both driver card and company cards, issue numbers and expiry dates, and the process for dealing with lost and defective cards
2. Policy name, number, and review date
3. Detail the process for both driver cards and company cards which have been lost, stolen, malfunctioned, or damaged
4. How is the policy circulated to staff and what action is taken when advice is given
5. How are authorised company cards monitored? For example, expiry dates or who the company cards are allocated to
6. Who is responsible for ensuring company cards are replaced before the expiry date and lost cards are investigated and replaced?
7. Is a forward planner for monitoring company cards in place
8. Are drivers' cards monitored for trends such as frequent loss of card, multiple card use or using a card that is not the latest issue
9. Give evidence of the training in place for drivers' digital cards - for example, a driver's handbook - note details and date of last review
10. Give details of the process for issuing drivers with additional print rolls, logbooks or charts

4.2 Scheduling and route planning

Staff responsible for scheduling the transport operation must be suitably qualified or experienced and have an appropriate level of knowledge and skill to manage the operation, whilst also taking full account of drivers' hours and working time directive requirements.

The operator must demonstrate a robust and effective process in place to prevent infringements and actively deal with problems arising from scheduling issues.

Routing of vehicles must be done in such a way as to take into consideration clean air zones, weight, height and time restrictions and any additional local authority restrictions that are in place.

The prevention of bridge strikes must be taken into consideration when routing vehicles.

In point 4.2 section you need to enter the following details in your audit template

1. Detail the policy for scheduling, give the policy name, number, and review date
2. Who is the person responsible for compliance with policy and does it contain the reporting procedure for scheduling issues
3. Give details of policy and process. Does it cover timed deliveries, time restriction zones drivers' hours and WTD?
4. Name the person responsible for the scheduling of the vehicles and drivers and is scheduling carried out electronically or manually
5. When anticipating delays, how are issues such as road works and diversions dealt with
6. Detail the policy for routing, including the avoidance of bridge strikes, and give the policy name, number, and review date
7. Name the person responsible for compliance with the policy
8. Give details as to the content of the policy, for example, safe and efficient routing, avoidance of low bridges, low emission zones, height, width, weight length restrictions, local authority restrictions and congestion
9. Does the policy insist on the use of commercial vehicle sat navs, and not allow the use of non-HGV specific sat navs
10. How are low bridges on routes accounted for
11. Are the routes planned by things like timed deliveries, postcode, size, the weight of the load, or vehicle type
12. How are issues such as road works and diversions dealt with in anticipation of diversions?
13. Is route planning software used?
14. Give details of the reporting procedure used if a schedule or routing issue arises.

15. Are internal audits conducted on telematics systems to ensure drivers are keeping to designated routes?
16. Give evidence of investigations into bridge strikes or near misses, and how they are conducted and reported as required.
17. Give details of how the information is passed on to the driver.
18. Are journey conflicts such as roadworks, closures, diversions, or major delays checked in advance

4.3 Downloading of driver cards and vehicle units

The operator must have a process in place where driver card data is downloaded and submitted for analysis at least every 14 days.

The operator must have a process in place where data from vehicle units is downloaded and submitted for analysis at least every 42 days.

In point 4.3 section you need to enter the following details in your audit template

1. Give policy details for dealing with the frequency of downloading vehicle and driver cards, the policy name, number, and review date
2. Who is the person responsible for compliance with the policy?
3. Detail the process taken if a vehicle or driver download is outside of the frequency. How are they brought back in line? For example, drivers on holiday, sick, or vehicle is off the road or away for inspection.
4. How frequently are driver cards downloaded?
5. How is this undertaken? For example, by remote download or desk-based download?
6. How frequently are an agency or third-party driver cards downloaded?
7. How frequently are vehicle units downloaded?
8. How is this undertaken? For example, by remote download or manual download

4.4 Return of Records

The operator must demonstrate by evidence a robust and effective process for the return of records that ensures compliance and action taken to deal with outstanding records.

In point 4.4 section you need to enter the following details in your audit template

1. How is the return of charts, logbooks, and printouts monitored?
2. Who ensures they are returned within the 42-day period specified and what action is taken if the above are not returned within the specified timescale?
3. How is retrieval dealt with for third-party drivers such as agency drivers?
4. Give evidence of the procedure in place for ensuring that third-party records are returned within the 42 days
5. Give details of findings - especially noncompliance

4.5 Working time directive and monitoring of non-EU/AETR regulated drivers

A comprehensive and effective system for monitoring compliance with working time directives (WTD) must be in place. This must align effectively with the process of compliance with the driver's hours.

A full account of driver scheduling and other duties must be incorporated into the process.

Great Britain (GB) domestic drivers' hour's rules apply to most passenger-carrying vehicles and goods vehicles that do not have to follow the EU or AETR rules

- driver fatigue is a major cause of road crashes, at work drivers are particularly at risk from tiredness, because they typically spend longer hours at the wheel, with 4 in 10 tiredness-related crashes involving someone driving a commercial vehicle
- anyone who employs people to drive for work must have in place all practical measures to manage driver fatigue - employers need to assess which drivers and journeys are at risk and set schedules that do not require drivers to exceed recommended working limits and driver hours
- some types of vehicles are exempt from EU regulations, and therefore would be regulated under GB domestic rules in the UK
- training for staff and drivers to ensure compliance
- evidence of compliance with key performance indicator (KPI) levels

In point 4.5 section you need to enter the following details in your audit template

1. Give evidence of how are working time directive (WTD) records captured, and monitored, confirm duration records are kept.
2. Name the person responsible for the monitoring of the working time directive (WTD)
3. What is the reference period used?
4. Give evidence of any collective or workforce agreements and appropriate opt-out dates, date of agreement and review dates
5. Give details of any working time directive infringements and corrective action which has been taken
6. Are infringements being actioned, give details?
7. Detail what training is given? Note evidence such as toolbox talks, or driver debriefs
8. Detail What corrective action is taken to ensure hours are brought back in line? For example, the driver is reaching or exceeding the 60-hour maximum in a single week or an average of 48 hours per week
9. Are absence days, holidays, sickness, and training accounted for correctly within the same system used to calculate averages, give examples
10. If an exemption or derogation from the EU drivers' hours regulations is being used give details.
11. Are journeys undertaken under domestic drivers' hour rules, give details of how are they monitored
12. Detail the process for drivers whose duties fall out of the scope of EU and AETR drivers' hours regulations, for example, forestry workers, mobile crane drivers, gritters, or local authority refuse collections
13. Give details of staff who undertake a mixed role. For example, office work or driver of a non-operator licence vehicle

4.6 Monitoring of EU and AETR drivers' hours regulations

A clear understanding of the rules and regulations when driving under EU and AETR regulations must be displayed.

A process must be in place to ensure compliance and monitoring of the regulations.

In point 4.6 section you need to enter the following details in your audit template

1. What is the process for monitoring compliance of journeys undertaken on EU and AETR regulations, detail how they are monitored
2. What system is used to gather, analyse, and store the relevant data
3. Detail the procedure used when unforeseen events occur such as a road traffic accident (RTA) or major delays. How are the details of these recorded
4. What processes are in place to ensure if a driver has exceeded hours due to an unforeseen issue that the correct steps are then taken regarding compensating for reduced rests and breaks

4.7 Tachograph analysis

The operator must demonstrate that all analogue and digital tachograph records are submitted for analysis within 7 days from the driver card or vehicle unit download and a robust system of analysis is undertaken to identify infringements.

- where third-party analysis takes place, evidence of administrative arrangements for reporting
- for digital analysis cross-reference driver card and vehicle unit data
- the auditor should cross-reference amendment analysis reports
- refer to DVSA earned recognition published key performance indicators (KPIs) for minimum compliance level
- evidence of compliance with KPI levels
- appropriate contingencies in place to deal with infringement reporting outside the stated frequency will be accepted

Demonstrate use of operator performance report to manage most serious infringements (MSIs) and repeat offenders, including any remedial action:

- evidence of trigger points monitored and actioned
- the effective disciplinary process being followed
- training provided to eliminate reoccurrence including drivers, planners and transport managers

Evidence of effective management of all unaccounted driving including validation and investigation process, including:

- cross-reference against vehicle tracking data
- auditor to carry out sample checks of operator validation procedures
- identify appropriate action taken if driving is in scope for EU and AETR drivers' hour's rules
- management process should be able to validate any periods of driving without a card
- robust process to manage and limit legitimate driving without a card

In point 4.7 section you need to enter the following details in your audit template

1. Detail the tachograph analysis procedure, how is tachograph analysis undertaken? In-house or externally via a third party

2. How frequently is an analysis of data completed?
3. Are quality assurance checks carried out on the analysis if so when was the last one and what were the findings?
4. How is this monitored and by who
5. How is data recorded and collated when both domestic and EU or AETR regulations are utilised?
6. What checks are carried out to ensure compliance is met and by who
7. Details of the policy for analysing of third-party data, give the policy name, number, and review date
8. Give Evidence of quality assurance checks being carried out on the analysis and findings
9. Is there a contract in place with the third-party provider, if so give details
10. When was the contract last reviewed and by who
11. Who is responsible for analysing the data
12. Give details of the analysis software used
13. How frequently are infringement reports raised
14. Who is responsible for managing infringements and how are they monitored
15. How are repeat offenders dealt with
16. Detail what training is given to repeat offenders
17. What is the disciplinary procedure in relation to repeat offending once additional training has been given
18. Detail the investigation or action taken against a driver in relation to the most serious infringement (MSI)
19. What training is given to stop the same driver from repeat offending
20. How is driving without a card monitored and investigated
21. How is missing mileage logged
22. Who is responsible for managing the above
23. Confirm details of investigations undertaken into any unaccounted mileage and action taken
24. Give evidence of disciplinary action taken against driving with no card in use when in scope of EU or AETR regulations.
25. How are records and data stored and collated to ensure compliance is accurate for drivers who carry out mixed duties covered by EU/AETR and GB domestic drivers' hours?
26. Give details of the person who is responsible for overseeing this process

4.8 Infringement Reporting

The operator must demonstrate a process that deals effectively with all reported infringements providing documentary evidence to show each has been robustly investigated and appropriate action is taken to prevent a recurrence.

In point 4.8 section you need to enter the following details in your audit template

1. Detail the process for dealing with tachograph infringements
2. Name the person responsible for managing the process
3. How frequently are infringement reports raised
4. How frequently are infringement reports raised and drivers debriefed? Evidence dates of reports against the date of infringement, note details of any outside of time scale
5. What training is given in relation to the infringements to both the drivers and person debriefing, scheduling personnel and transport managers
6. Give an example of a driver who has incurred an infringement and how it was dealt with. Evidence corrective action is taken. For example, re-training, toolbox talks, or additional CPC training
7. Are investigations carried out to understand the reasoning for infringements? For example, a potential scheduling issue or routing problem
8. Evidence of action taken for reoccurring prohibitions and infringements

4.9 Speed limit compliance

The operator must demonstrate a process that deals effectively with all reported infringements providing documentary evidence to show each has been robustly investigated and appropriate action is taken to prevent a recurrence.

In point 4.9 section you need to enter the following details in your audit template

1. How is speed compliance monitored and how often is it checked
2. What are the processes and procedures in place to deal with speeding in company vehicles?
3. What are the processes and procedures in place to deal with speeding offences outside of work?
4. Give evidence of the reporting procedure, and evidence that any speeding infringements have been dealt with
5. Give evidence of notification to the traffic commissioners
6. Detail any disciplinary action taken

4.10 Keeping of records

Records are required to be kept, for a minimum of 12 months for EU and AETR regulations and 24 months for working time directive (WTD).

The operator must have a robust and effective process in place, which is administered appropriately and provides for easy and accurate access to all records.

In point 4.10 section you need to enter the following details in your audit template

1. What is the process used to ensure data is held for the correct period
2. Who is responsible for making sure records and data are correctly retained while taking the General Data Protection Regulation (GDPR) into consideration
3. Evidence the process is in place and effective. Check the correct amount of data is held in relation to WTD and tachograph data.
4. What period are the records stored for, how are these records stored and are the records easily accessible?